

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE,  
AT KNOXVILLE**

JAMES M. BREEDEN,	)	
	)	
Plaintiff – Counter Defendant,	)	CIVIL ACTION
	)	No. 3:11CV00481
vs.	)	
	)	
ALLSTATE INDEMNITY COMPANY,	)	
	)	JURY DEMAND
Defendant – Counter Plaintiff.	)	

**NOTICE OF STIPULATION OF DISMISSAL WITH PREJUDICE**

Come now the plaintiff-counter defendant, James M. Breedon, and the defendant-counter plaintiff, Allstate Indemnity Company, by and through counsel, and announce and give notice to the Court that all matters here in controversy between the parties, including the counterclaim, have been resolved by compromise and that each party has agreed to dismiss their respective causes of action with prejudice in exchange for the other party's agreement to do the same. Therefore, the plaintiff-counter defendant and the defendant-counter plaintiff hereby give notice pursuant to Rule 41 of the *Federal Rules of Civil Procedure* that the above styled action, including the counter-claim is dismissed with full prejudice against another action. The parties shall bear their own costs.

BALL & SCOTT  
550 W. Main Avenue, Suite 601  
Knoxville, TN 37902  
(865) 525-7028

\_\_\_\_\_  
s/Christopher T. Cain  
Christopher T. Cain, Esq. BPR#19997  
Attorney for James M. Breedon

BAKER, KINSMAN, HOLLIS & CLELLAND, P.C.  
701 Market Street, Suite 1500.  
Chattanooga, TN 37402-4825  
(423) 756-3333

By: s/ N. Mark Kinsman  
N. Mark Kinsman, BPR #6039  
J. Chad Hogue, BPR #025457  
Attorneys for Allstate Indemnity Company